

# United States Court of Appeals For the First Circuit

No. 05-1048

JOSEPH MARION HEAD, JR.

Plaintiff - Appellant

v.

UNITED STATES; DAVID L. WINN, Warden, Federal  
Medical Center, Devens; STATE OF NORTH CAROLINA

Defendants - Appellees

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## JUDGMENT

Entered: May 9, 2005

By notice issued April 20, 2005, appellant was notified that he was in default for failure to file an opening brief. Appellant was warned that unless he filed a brief by May 4, 2005, his appeal would be dismissed for lack of diligent prosecution.

Appellant having failed to file a brief, it is hereby ordered that the above-captioned appeal be dismissed in accordance with Loc. R. 45(a) and 3(b).

By the Court:  
Richard Cushing Donovan, Clerk

By: JULIE GREGG  
Operations Manager

[cc: Joseph Marion Head, Jr., Michael J. Sullivan, Esq. and Roy Cooper, Esq.]